

## ORDINANCE 21-07

### **AN ORDINANCE TO AMEND THE TOWN OF MILLVILLE CODE AT CHAPTER 48, ENTITLED "BUILDING CONSTRUCTION."**

**WHEREAS**, the Town Council of Millville has the power to adopt ordinances in the interest of good government and the safety, health, and public welfare of the Town, its inhabitants and affairs, including to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

**WHEREAS**, the Town of Millville has adopted an Ordinance for the municipality, which has been adopted the International Residential Code (hereinafter "IRC") as it relates to one-family and multifamily dwellings, with the Town's ordinance codified in Chapter 48 of the Town Code; and

**WHEREAS**, the Town Council may from time to time amend, supplement, or change the regulations and restrictions established by this Ordinance; and

**WHEREAS**, Chapter 48 of the Town Code contains certain exemptions from the IRC's provisions and regulations;

**NOW, BE IT THEREFORE ORDAINED**, by the Town Council for the Town of Millville, Sussex County, Delaware, having duly met and a majority thereof concurring herein, that the following amendments are hereby adopted and incorporated into the Town of Millville Code at Chapter 48, entitled "Building Construction":

Section 1. Amend § 48-1, Subsection D with additions shown in black bold and underlined and ~~deletions in black bold and strikethrough~~ as follows:

D. IRC exemptions:

- (1) Landings. A landing is not required in the exterior of a sliding door.
- (2) Automatic fire sprinkler systems. IRC § R313, Automatic Fire Sprinkler Systems, shall be exempted from one- and two-family dwellings and townhouses.

(3) Footings and foundation and retaining walls. Notwithstanding the provisions of Chapter 4 of the IRC to the contrary, the following shall be the minimum requirement for footings and for foundation and retaining walls:

(a) Footings shall be at least the minimum width and depth per the IRC, with a frost depth of 24 inches.

(b) Two #4 rebar shall be placed within the entire footing cavity and placed in the middle one-third of the footing.

(c) Poured concrete walls less than four (4) feet in height require one #4 vertical rebar at least every eight (8) feet and one #4 horizontal rebar in the entire top one-third of the wall.

(d) Poured concrete walls from four (4) feet to six (6) feet in height require one #4 vertical rebar at least every six (6) feet two (2) #4 horizontal rebar, with one in the top one-third and the other in the bottom one-third, for the entire wall.

~~(3)~~ (4) Where the provisions of the IRC and the provisions of the Town of Millville Code conflict, the provisions contained in the Town of Millville Code shall control.

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MILLVILLE, SUSSEX COUNTY, DELAWARE, ON THE 9TH DAY OF MARCH, 2021.

SEAL:

\_\_\_\_\_  
MAYOR

ATTESTED:

\_\_\_\_\_  
SECRETARY

Section 2. This Ordinance shall take effect upon its enactment.

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### SYNOPSIS

This Ordinance creates an exemption to the IRC for the requirements for footings (Section R403) and foundation and retaining walls (R404). Specifically, the Ordinance codifies the stricter requirement that has been used as a best practice in the Town since approximately 2008. The requirement reduces the chance of footings and walls failing.